

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION

Case No. 1:21-md-03010 (PKC)

This Document Relates To:

ASSOCIATED NEWSPAPERS LTD. and
MAIL MEDIA, INC.

Plaintiffs,

-against-

GOOGLE LLC and ALPHABET INC.,

Defendants.

Case No. 1:21-cv-03446 (PKC)

GANNETT CO., INC.

Plaintiff,

-against-

GOOGLE LLC and ALPHABET INC.,

Defendants.

Case No. 1:23-cv-5177 (PKC)

**PLAINTIFFS DAILY MAIL AND GANNETT'S MEMORANDUM OF LAW IN
SUPPORT OF THEIR MOTION TO PROVISIONALLY FILE UNDER SEAL THEIR
MEMORANDUM IN SUPPORT OF THEIR MOTION FOR PARTIAL SUMMARY
JUDGMENT AND EXHIBITS TO THE DECLARATION OF ERIC J. MAIER**

Pursuant to Rule 5 of this Court’s Individual Practices and the Modified Confidentiality Order in the above-captioned multidistrict litigation, ECF No. 685 at ¶ 21, Plaintiffs Associated Newspapers LTD. and Mail Media, Inc. (“Daily Mail”) and Gannett Co., Inc. (“Gannett”) request leave to file under preliminary seal certain parts of the following:

- Plaintiffs Daily Mail’s and Gannett’s Memorandum of Law in Support of their Motion for Partial Summary Judgment; and
- Exhibits to the Declaration of Eric J. Maier.

Under the Modified Confidentiality Order, where “a Party seek[s] to file another Party[’s] . . . Highly Confidential Information or Confidential Information,” that party “shall so advise the other Party.” *Id.* at ¶ 21. The other party then ordinarily has “five business days” to “make an application to seal.” *Id.* But the parties may “discuss in good faith a reasonable extension of these deadlines subject to the Court’s approval.” *Id.* In such a case, the party seeking to introduce another party’s protected material may file that material under provisional seal, and that material remains under seal until the other party files its application and the Court rules upon it. MDL Dkt. No. 1014.

Here, Plaintiffs do not seek to seal any of their own Highly Confidential or Confidential Information. Instead, portions of their Memorandum of Law in Support of their Motion for Partial Summary Judgment and the Exhibits to the Declaration of Eric J. Maier include materials that Defendant Google has designated as Highly Confidential or Confidential. Pursuant to paragraph 21 of the Modified Confidentiality Order, Plaintiffs and Google discussed in good faith a reasonable extension of the deadline for Google to file an application to seal these materials, if any. The parties propose that Google file any such application on July 18, 2025.

Plaintiffs Daily Mail and Gannett respectfully request that this Court permit Plaintiffs to file certain portions of their Memorandum of Law in Support of their Motion for Partial Summary Judgment and the Exhibits to the Declaration of Eric J. Maier under preliminary seal, and that it extend the time for Google to file an application to seal until July 18, 2025.

Date: June 20, 2025

Respectfully submitted,

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